

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF VA  
HARRISONBURG DIVISION

IN RE:  
TESA CHARNEL UNGER  
Debtor(s)

BCN#: 11-51593\RWK  
Chapter: 7

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PHH MORTGAGE CORPORATION

or present noteholder,

Movant/Secured Creditor,

v.

TESA CHARNEL UNGER  
Debtor(s)

and

BOB STEVENS

Trustee

Respondents

DEFAULT JUDGMENT ORDER

Upon review of the pleadings and the provision of the Court's Pre-Hearing Order which provides that respondents' failure to file a responsive pleading within fourteen (14) days of the docketing of said Order shall be deemed a waiver of any further opportunity for hearing and a default; and

WHEREAS, as of December 27, 2011, the Debtor Respondent has not filed a responsive pleading by a date at least fourteen (14) days from the docketing of the Pre-Hearing Order; and

WHEREAS, the trustee has held his 341 Meeting of Creditors on December 21, 2011;

IT IS ORDERED, that the automatic stay imposed by 11 U.S.C. §362 (a) be lifted, as to PHH MORTGAGE CORPORATION, secured party and holder of a certain promissory note evidencing an indebtedness secured by the lien of a deed of trust, with a property address of 237 GLENRIDGE DR, Winchester, VA 22602 recorded among the Land Records of the COUNTY OF FREDERICK in Deed Book 100009343, with regard to the property described as:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING  
SITUATE IN RED BUD MAGISTERIAL DISTRICT, FREDERICK COUNTY,  
VIRGINIA, MORE PARTICULARLY DESCRIBED AND DESIGNATED AS  
LOT 95, GLENMONT VILLAGE, SECTION SIX OF RECORD IN THE

Trenita Jackson-Stewart, VSB# 48412  
SHAPIRO & BURSON, LLP  
236 Clearfield Avenue, Suite 215  
Virginia Beach, VA 23462  
(757) 687-8777 11-224561

OFFICE OF THE CLERK OF THE CIRCUIT COURT OF FREDERICK COUNTY, VIRGINIA, IN DEED BOOK 698, PAGE 369. AND FURTHER DESCRIBED BY PLAT AND SURVEY OF H. BRUCE EDENS, L.S., DATED SEPTEMBER 20, 1989, RECORDED IN THE AFORESAID CLERK'S OFFICE IN DEED BOOK 791, PAGE 1631.

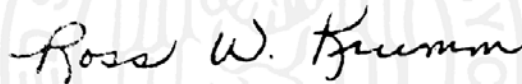
IT IS FURTHER ORDERED that F.R.B.P. 4001(a)(3) is not applicable to the case at hand and PHH MORTGAGE CORPORATION may immediately enforce and implement this order granting relief from the automatic stay;

IT IS FURTHER ORDERED that the relief granted in this order shall survive any subsequent conversion by the Debtor(s) to a case under any other chapter of the bankruptcy code.

IT IS FURTHER ORDERED that nothing contained herein shall prohibit the Movant from adding reasonable attorney's fees in the amount of \$500.00 and costs in the amount of \$176.00 incurred in this proceeding to the outstanding indebtedness in accord with the terms of the subject Deed of Trust and Note and applicable state law.

IT IS FURTHER ORDERED that subsequent to any foreclosure sale of the subject property conducted by Movant, or its successors or assigns, the Secured Creditor may take all lawful actions to take possession of the Subject Property.

Date: December 28, 2011



Ross W. Krumm

\_\_\_\_\_  
U.S. BANKRUPTCY JUDGE

Notice of Judgment or  
Order Entered on Docket: \_\_\_\_\_

Trenita Jackson-Stewart, VSB# 48412  
SHAPIRO & BURSON, LLP  
236 Clearfield Avenue, Suite 215  
Virginia Beach, VA 23462  
(757) 687-8777 11-224561

I ask for this:

/S/ TRENITA JACKSON STEWART

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TRENITA JACKSON STEWART, Esquire, Counsel for Movant

I certify that I have served the proposed Order upon all parties to the action by first class mail, postage prepaid, on the 28<sup>th</sup> day of December, 2011.

/S/ TRENITA JACKSON STEWART

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TRENITA JACKSON STEWART, Esquire, Counsel for Movant

Copies are to be sent to:

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